

MC-275

Name Shawn Lionel LewisAddress P.O. box 8101 San Luis ObispoCA 93409-8101 Cell 3151CDC or ID Number T-76966**FILED**

FEB 11 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY RMSUPREME COURT
FILED

JAN 30 2008

DEPUTY Frederick K. Ohlrich Clerk

Deputy

2254 1983

FILING FEE PAIDYes ☐ (Court) No ☒**HYP MOTION FILED**Yes ☒ No ☐**COPIES SENT TO**Court ☒ No. ☐ ProSe ☒

08 CV 0267 W WMC

PETITION FOR WRIT OF HABEAS CORPUS

S160442

(To be supplied by the Clerk of the Court)

JAN 30 2008

Shawn Lionel Lewis

Petitioner

vs.

John Marshall Warden

Respondent

INSTRUCTIONS—READ CAREFULLY

- If you are challenging an order of commitment or a criminal conviction and are filing this petition in the Superior Court, you should file it in the county that made the order.
- If you are challenging the conditions of your confinement and are filing this petition in the Superior Court, you should file it in the county in which you are confined.
- Read the entire form *before* answering any questions.
- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."
- If you are filing this petition in the Superior Court, you need file only the original unless local rules require additional copies. Many courts require more copies.
- If you are filing this petition in the Court of Appeal, file the original and four copies of the petition and, if separately bound, one copy of any supporting documents.
- If you are filing this petition in the California Supreme Court, file the original and ten copies of the petition and, if separately bound, two copies of any supporting documents.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.
- In most cases, the law requires service of a copy of the petition on the district attorney, city attorney, or city prosecutor. See Penal Code section 1475 and Government Code section 72193. You may serve the copy by mail.

Approved by the Judicial Council of California for use under Rule 60 of the California Rules of Court [as amended effective January 1, 2005]. Subsequent amendments to Rule 60 may change the number of copies to be furnished to the Supreme Court and Court of Appeal.

This petition concerns:

- ☐ A conviction
 ☐ Parole
☒ A sentence
 ☐ Credits
☐ Jail or prison conditions
 ☐ Prison discipline
☐ Other (specify): _____

1. Your name: Shawn Lionel Lewis
2. Where are you incarcerated? California mens colony
3. Why are you in custody? ☒ Criminal Conviction ☐ Civil Commitment

Answer subdivisions a. through i. to the best of your ability.

- a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").

Asterisk Sales or/and asterisk possession
"A GO between"

- b. Penal or other code sections: AstRISK HS11352A 1ct Asterick 11351.5 Ct2

- c. Name and location of sentencing or committing court: San Diego Superior Court
220 West Broadway SAN Diego CA P.O. Box 120128
92112-0128

- d. Case number: SCD184764

- e. Date convicted or committed: 2-16-05

- f. Date sentenced: 3-16-05

- g. Length of sentence: 10 yrs

- h. When do you expect to be released? 10-6-2009

- i. Were you represented by counsel in the trial court? ☐ Yes. ☐ No. If yes, state the attorney's name and address:

Bruce H. Sobel Esq 110 west "c" street 1015
SAN Diego, CALIF 92101

4. What was the LAST plea you entered? (check one)

☒ Not guilty ☐ Guilty ☐ Nolo Contendere ☐ Other: _____

5. If you pleaded not guilty, what kind of trial did you have?

☒ Jury ☐ Judge without a jury ☐ Submitted on transcript ☐ Awaiting trial

6. GROUNDS FOR RELIEF

Ground 1: State briefly the ground on which you base your claim for relief. For example, "the trial court imposed an illegal enhancement." (If you have additional grounds for relief, use a separate page for each ground. State ground 2 on page four. For additional grounds, make copies of page four and number the additional grounds in order.)

The Jury instructions silenced the jury, Any Juror who inquired about Priors were dismissed, the Priors were made public to the selected jury, with guilty verdict the Sentence judge stayed the enhancements without Jurors or objection by Trial Attorney

a. Supporting facts:

Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts upon which your conviction is based. If necessary, attach additional pages. CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is: who did exactly what to violate your rights at what time (when) or place (where). (If available, attach declarations, relevant records, transcripts, or other documents supporting your claim.)

Similar to a mortise to tenon

conviction is based on silencing the jury
enhancing the priors

Sentencing with out jury and objection
by trial counsel.

Due process Delay legeslatur passage
or voter PASSAGE

b. Supporting cases, rules, or other authority (optional):

(Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If necessary, attach an extra page.)

CALJIC 1.03 (2004) Revision - Lack evidence
CALJIC 2.115 (2004) Revision - CO Defendant
CALJIC 17.18.1 Including Priors after excluding
Impartial Jurors.

7. Ground 2 or Ground _____ (if applicable):

Effective Feb 1, 2008 the commander and chief signed into Law Reducing terrorism for those like me who have been denied injunctive Relief.

a. Supporting facts:

Now the Reduction in terrorism law is in effect I Dont see any dely in the Federal's pannel of judges 18 U.S.C 3636 overcrowding to Release Nonviolent, Nonserious, Non Sexual Inmates and CAP SLAP on population. The Governors proposal Is good enough for legeslators to pass! However the votes wont be made until the Next Commander and chief is elected to office? So wheres the injunctive Relief? wheres the Law the Commander and chief signed Into Law?!

b. Supporting cases, rules, or other authority:

Gov code § 844.6 (a) and 845.4

Gov code § 901 and 911.2 to 911.4

8. Did you appeal from the conviction, sentence, or commitment? ☒ Yes. ☐ No. If yes, give the following information:

a. Name of court ("Court of Appeal" or "Appellate Dept. of Superior Court"):

Fourth Appellate District Div one

b. Result jurisdiction ended

c. Date of decision: Filed Sept 26, 2006
10-26, 2006

d. Case number or citation of opinion, if known: DO46148

e. Issues raised: (1) _____

(2) _____

(3) _____

f. Were you represented by counsel on appeal? ☒ Yes. ☐ No. If yes, state the attorney's name and address, if known:

Charles R. Khoury Jr. P.O. box 1066 Wilton N.H. 03086

9. Did you seek review in the California Supreme Court? ☒ Yes ☐ No. If yes, give the following information:

a. Result Denied 1, 17, 2007
Remittitur 1-23-2007

b. Date of decision: _____

c. Case number or citation of opinion, if known: _____

d. Issues raised: (1) _____

(2) _____

(3) _____

10. If your petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not make on appeal, explain why the claim was not made on appeal:

It WAS made on Appeal

11. Administrative Review:

a. If your petition concerns conditions of confinement or other claims for which there are administrative remedies, failure to exhaust administrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See *In re Muszalski* (1975) 52 Cal.App.3d 500 [125 Cal.Rptr. 286].) Explain what administrative review you sought or explain why you did not seek such review:

I WAS sent BACK to Superior court for sentence
modification However the Sentencing judge
Just SAtified the calender date and did
not modify the sentence at the tax payers
expense and sent me BACK to Prison without
modifying the sentence why?

b. Did you seek the highest level of administrative review available? ☒ Yes. ☐ No.

Attach documents that show you have exhausted your administrative remedies.

12. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction, commitment, or issue in any court? ☐ Yes. If yes, continue with number 13. ☐ No. If no, skip to number 15.

13. a. (1) Name of court: District court front Street San Diego
 (2) Nature of proceeding (for example, "habeas corpus petition"): _____
 (3) Issues raised: (a) _____
 (b) _____
 (4) Result (Attach order or explain why unavailable): Rejected Not Filed electronically
 (5) Date of decision: _____
- b. (1) Name of court: United States Supreme Court
 (2) Nature of proceeding: Certiorari Hearing
 (3) Issues raised: (a) Identity / Double Jeopardy
 (b) out of 4000 cases they can only Review 400 or less
 (4) Result (Attach order or explain why unavailable): _____
 (5) Date of decision: pending

c. For additional prior petitions, applications, or motions, provide the same information on a separate page.

14. If any of the courts listed in number 13 held a hearing, state name of court, date of hearing, nature of hearing, and result:

15. Explain any delay in the discovery of the claimed grounds for relief and in raising the claims in this petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

PostPhone of legislator or and voters;...

16. Are you presently represented by counsel? ☐ Yes. ☒ No. If yes, state the attorney's name and address, if known:

maranda

17. Do you have any petition, appeal, or other matter pending in any court? ☒ Yes. ☐ No. If yes, explain:

maranda arizona United States Supreme Court
Certiorari Hearing likely I won't get heard

18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court:

18. U.S.C 3636 over crowded non violent-non serious
non-sexual to Aid Federal Panel of Judges

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date:

Shawn Lewis

(SIGNATURE OF PETITIONER)

SLS

SCD184764 DA ASH35802

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

DATE 03-16-05 AT 09:00 M.

04135952

CENTRAL ☒ NORTH ☐ EAST ☐ SOUTH ☐

PROB HEAR-SENTENCING

0186

PRESENT: HON. CHARLES E. JONES

JUDGE PRESIDING DEPARTMENT 014

CLERK Hollinson

REPORTER Leonard Daniels

CSR# 337p

REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112-0128

DEPUTY DISTRICT ATTORNEY

THE PEOPLE OF THE STATE OF CALIFORNIA
VS.

LEWIS SHAWN L

F - B. SOBEL

ATTORNEY FOR DEFENDANT (PD / APD / PCC / RETAINED)

VIOLATION OF *HS11352(A) Cr.1

*HS11351.5 Cr.2

P.O. Pletcher Mills

ENH(S) Cr.1 PC1203.073(b)(7) Cr.1 HS11370.2(a) X3

INTERP. OATH ON FILE / SWN.

PRIOR(S) PC667.5(b) Cr.2 HS11370.2(a) X3

LANGUAGE

DEFENDANT ☒ PRESENT ☐ NOT PRESENT ☐ NOT PRODUCEDP R E V ☐ DEFENDANT ADVISED OF RIGHTS AND ADMITS / DENIES A VIOLATION OF PROBATION ☐ WAIVES HEARING.PROBATION IS / REMAINS: FORMALLY / SUMMARILY ☐ REVOKED ☐ REINST ☐ MODIFIED ☐ CONT ☐ ST&C ☐ TERMD. ☐ EXT. TO:☒ WAIVES ARRAIGNMENT. ☐ ARRAIGNED FOR JUDGMENT. ☐ IMPOSITION / EXECUTION OF SENTENCE IS SUSPENDED.☒ PROBATION IS: ☒ DENIED ☐ GRANTED YEARS (FORMAL/SUMMARY) TO EXPIRE☐ COMMITMENT TO SHERIFF FOR DAYS. STAYED TO / PNDG. SUCC. COMPL. OF PROB. ☐ PAROLE NOT TO BE GRANTED.☐ PERFORM HRS / DAYS PSP / VOL. WORK AT NONPROFIT ORG. SUBMIT PROOF TO PROBATION / COURT BY☐ 4TH AMENDMENT WAIVER ☐ FORMAL PROB. CONVERTS TO SUMM. PROB.☐ FURTHER CONDITIONS ARE SET FORTH IN PROBATION ORDER. ☐ WORK FURLOUGH, REPORT: TOTAL☐ DEFENDANT IS COMMITTED TO THE CALIFORNIA YOUTH AUTHORITY ☐ PER WI 1737☒ DEFENDANT IS COMMITTED TO THE DEPARTMENT OF CORRECTIONS ☐ PER PC 1170(d) 10 YEARS☐ FOR LOWER / MIDDLE / UPPER / INDETERMINATE TERM OF 4 YEARS MONTHS / TO LIFE☐ ON COUNT CODE & NO. HS11352(a) X PRINCIPAL COUNT. ☐ STIPULATED SENTENCE.☐ DEFENDANT SENTENCED PER PC 667(b)-(i)/1170.12. ☒ NOTICE OF FIREARMS PROHIBITION GIVEN PER PC 12021.☐ NO VISITATION PER PC 1202.05. VICTIM IS UNDER 18 YRS. OF AGE. DA TO COMPLY WITH NOTICES.☒ DEFT. ADVISED REGARDING PAROLE / APPEAL RIGHTS. ☒ REGISTRATION PER PC 290 HS11590 PC 457.1 / PC 186.30. ☒ TESTING PER PC 1202.1 HIV / PC 296 DNA.☒ DEFENDANT TO PAY: FINE OF \$ 500 - PLUS PENALTY ASSESSMENT. ☐ \$20 COURT SECURITY FEE. ☐ PROBATION COSTS. ☐ BOOKING FEES.☐ REST. FINE(S): X \$ 500 - PER PC 1202.4(b). ☒ FORTHWITH PER PC 2085.5. X \$ 500 - PER PC 1202.45 SUSP. UNLESS PAROLE REVOKED.☐ RESTITUTION TO VICTIM(S) PER P.O.'S REPORT / REST. FUND PER PC 1202.4(f) OF \$ / IN AN AMT. TO BE DETERMINED. ☐ JOINT & SEVERAL.☐ COURT-APPOINTED ATTORNEY FEES ORDERED IN THE AMOUNT OF \$☐ INCOME DEDUCTION ORDER OF \$ PER PAY PERIOD PER PC 1202.42 STAYED UNLESS DEFT. FAILS TO PAY VICTIM REST. NOTICE OF RIGHTS PROVIDED.☐ AT THE COMBINED RATE OF \$ PER MONTH TO START 60 DAYS AFTER RELEASE / ON☐ DEFENDANT IS REFERRED TO ☐ REVENUE & RECOVERY ☐ COURT COLLECTIONS TO SET UP AN ACCOUNT.☐ DEFENDANT IS TO REPORT TO PROBATION / REV. & REC / COURT COLLECTIONS FORTHWITH / WITHIN 72 HOURS OF RELEASE FROM CUSTODY.C S U T A T ☒ DEFENDANT REMANDED TO CUSTODY OF SHERIFF ☒ WITHOUT BAIL. ☐ WITH BAIL SET AT \$☐ DEFENDANT TO REMAIN AT LIBERTY ☐ ON BOND POSTED \$ ☐ ON PROBATION. ☐ ON DEJ. ☐ ON OWN / SUPERVISED RECOGNIZANCE.☐ DEFENDANT ORDERED RELEASED FROM CUSTODY ☐ ON PROBATION. ☐ ON OWN / SUPERVISED RECOGNIZANCE. ☐ ON DEJ. ☐ THIS CASE ONLY.☐ DEFENDANT WAIVES STATUTORY TIME FOR PRONOUNCEMENT OF JUDGMENT.☐ DEFENDANT REFERRED FOR DIAGNOSTIC EVALUATION. ☐ PER PC 1203.03. ☐ PER WI 707.2.☐ CONTINUED TO / SET FOR AT M. IN DEPT. ON MOTION

OF COURT / DDA / DEFENDANT / PROBATION OFFICER. REASON:

☐ BENCH WARRANT TO ISSUE, BAIL SET AT \$ ☐ SERVICE FORTHWITH. ☐ ORDERED WITHHELD TO☐ BENCH WARRANT ISSUED / ORDERED IS RECALLED / RESCINDED.☐ BAIL IS ☐ EXONERATED. ☐ FORFEITED. AMOUNT \$ BOND NO.☐ BOND COMPANY AGENT☐ PROCEEDINGS SUSPENDED ☐ PER PC 1368, MENTAL COMPETENCY. (SEE BELOW FOR DATES OF EXAMINATION AND HEARING.)☐ PER WI 3051, ADDICTION OR DANGER OF ADDICTION. SERVICE OF PETITION:☐ PROBATION TO PREPARE SUPP. REPT. / SUBMIT POST-SENT REPT TO CDC PER PC1203c. ☐ REPT. TO REG. OF VOTERS. ☐ DMV ABSTRACT. B.A.C.☐ CONCURRENT WITH / CONSECUTIVE TO:

Cr.1 ENHANCEMENT per PC1203.073(b)(7) w/cr.1

Cr.1 HS11370.2(a) - 3 yrs. consecutive

Cr.1 HS11370.2(a) - 3 yrs. consecutive

Cr.1 HS11370.2(a) - 3 yrs. stayed

Prison prior PC667.5(e) - 1 yr. stayed

Cr.2 HS11351.5 4 yrs. m/Term

Cr.2 HS11370.2(a) X3 stayed

all strikes

TOTAL TERM 10 YRS.

CHARLES E. JONES

JUDGE OF THE SUPERIOR COURT

SDSC CR-2B(Rev. 9-03)

CRIMINAL MINUTES - PRONOUNCEMENT OF JUDGEMENT

Exhibit (A)

Sentence enhancements are illegal

JS44

(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

I (a) PLAINTIFFS

Shawn Lionel Lewis

John Marshall, Warden

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF San Luis Obispo
(EXCEPT IN U.S. PLAINTIFF CASES)

2754 1985

FILING FEE PAID
Yes ☒ No ☒

IFT MOTION FILED
Yes ☒ No ☐

COPIES SENT TO
Court ☒ Other ☐

FILED

FEB 11 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT San Luis Obispo
(EXCEPT IN U.S. PLAINTIFF CASES ONLY)

COUNTY OF LOCATION OF TRACT OF LAND San Luis Obispo

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Shawn Lionel Lewis
PO Box 8101
San Luis Obispo, CA 93409
T-76966

ATTORNEYS (IF KNOWN)

'08 CV 0267 W WMC

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- PT DEF
- Citizen of This State ☐ 1 ☐ 1 Incorporated or Principal Place of Business in This State ☐ 4 ☐ 4
- Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business in Another State ☐ 5 ☐ 5
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

28 U.S.C. 2254

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reappointment
<input type="checkbox"/> Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury-Medical Malpractice	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	PROPERTY RIGHTS	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce/ICC Rates/etc.
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 640 RR & Truck	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	PERSONAL PROPERTY	<input type="checkbox"/> 660 Occupational Safety/Health	SOCIAL SECURITY	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 861 HIA (13958)	<input type="checkbox"/> 850 Securities/Commodities Exchange
<input type="checkbox"/> 160 Stockholders Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	LABOR	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 875 Customer Challenge 12 USC
<input type="checkbox"/> Other Contract	<input type="checkbox"/> 360 Other Personal Injury		<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 195 Contract Product Liability		PRISONER PETITIONS	<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 892 Economic Stabilization Act
REAL PROPERTY	CIVIL RIGHTS		<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 865 RSI (405(e))	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus	<input type="checkbox"/> 740 Railway Labor Act	FEDERAL TAX SUITS	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input checked="" type="checkbox"/> 530 General	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 791 Empl. Ret. Inc.	<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 240 Tort to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> Security Act		<input type="checkbox"/> 950 Constitutionality of State
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 550 Civil Rights			<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 290 All Other Real Property					

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE

Docket Number

DATE 2/11/2008

SIGNATURE OF ATTORNEY OF RECORD

R. Melle